



Docket No. AT 2021.20

**Certificate of Mailing/Transmission (37 C.F.R. § 1.8(a)):**

[ X ] Pursuant to 37 C.F.R. § 1.8, I hereby certify that this paper and all enclosures are being deposited with the United States Postal Service as first class mail on the date indicated below in an envelope addressed to the Commissioner for Patents, Washington D.C. 20231.

[ ] Pursuant to 37 C.F.R. § 1.6(d), I hereby certify that this paper and all enclosures are being sent via facsimile on the date indicated below to the attention of Examiner **Willse** at Facsimile No. **1-703-308-2708**.

Dated: **January 27, 2003**

Name of Person Certifying: *Peggy Nichols*

Printed Name: Peggy Nichols

TECHNOLOGY CENTER R3700

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: **Thomas A. Silvestrini**

Examiner: **David H. Willse**

Filing Date: **July 15, 1996**

Group Art Unit: **3738**

Serial No.: **08/596,221**

Title: **SEGMENTED PLIABLE INTRASTROMAL CORNEAL INSERT**

Commissioner for Patents  
Washington, D.C. 20231

**RESPONSE TO FINAL OFFICE ACTION FILED CONCURRENTLY WITH REQUEST  
FOR CONTINUED EXAMINATION APPLICATION**

This paper is submitted in reply to the Final Office Action issued by the U.S. Patent and Trademark Office on May 29, 2002, in connection with the above-identified application. A response to this Action originally was due August 29, 2002. On November 26, 2002, a Notice of Appeal and Petition for a Three Month Extension of Time was filed, thereby extending the deadline to respond or take other action to January 26, 2003. However, because January 26, 2003 falls on a Sunday, a response or other action taken on the next business day, namely, Monday, January 27, 2003, is considered timely. Accordingly, this application is pending today and this paper is timely filed. Extensions of time up to June 26, 2003 are still available to Applicant.

**I. REMARKS**

Claims 23, 24, 28, 30-37 and 40-43 are pending in the subject application and stand rejected under 35 U.S.C. § 102(e). In view of the remarks which follow, reconsideration and withdrawal of the rejection is respectfully requested.

#46  
Response  
S. Byer  
3/11/03  
RECEIVED  
FEB 05 2003